

FILED
Clerk
District Court

JUN 12 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorney for Plaintiff
Rosario DLG Kumagai

IN THE UNITED STATES DISTRICT COURT
FOR
THE NORTHERN MARIANA ISLANDS

ROSARIO DLG KUMAGAI,

CIVIL ACTION NO. 05-0037

Plaintiff,

vs.

PAMELA BROWN, a.k.a. PAMELA
BROWN BLACKBURN, personally
and in her official capacity as the
Attorney General for the
Commonwealth of the Northern
Mariana Islands;
FERMIN M. ATALIG, personally
and in his official capacity as the
Secretary of Finance,
COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS;
MARIA LOURDES SEMAN ADA,
personally and in her official capacity
as the Executive Director for the
Commonwealth
Development Authority;
COMMONWEALTH DEVELOPMENT
AUTHORITY;
BANK OF GUAM;
and JOHN DOES ONE thru TEN,

DECLARATION OF PLAINTIFF ROSARIO
DLG KUMAGAI

Dated: July 20th, 2006
Time: 9:00 a.m.
Judge: Hon. Alex R. Munson
Chief Judge

Defendants.

I, ROSARIO DLG KUMAGAI, do hereby declare under penalty of perjury that:

1. I am the named-Plaintiff in the foregoing civil action.
2. The matters stated herein are based on my own personal knowledge and, if called to testify, I will so testify accordingly.

- 1 3. At all times relevant herein, I was the fee-simple Owner of a real property
2 more particularly identified as Lot E.A. 157-2-1, situated at Susupe Lake,
3 Saipan, NMI, containing an area of 1,292 square meters, more or less.
- 4 4. At all times relevant herein, I was and still am a kidney dialysis patient at
5 the Commonwealth Health Center ["CHC"].
- 6 5. Exhibit "D" to my complaint herein is a true and correct copy of a Land
7 Compensation Settlement Agreement that I had entered into with the
8 former Marianas Public Lands Authority ["MPLA"].
- 9 6. Exhibit "I" to my complaint herein is a true and correct copy of a
10 Settlement Agreement I entered into with Defendant Commonwealth of
11 the Northern Mariana Island ["Defendant CNMI"] to resolve a lawsuit filed
12 against me by said Defendant in the CNMI Superior Court, captioned as
13 CNMI, DPHES v. Rosario DLG Kumagai, Civil Action No. 05-149C.
- 14 7. I am the same Rosario DLG Kumagai who is named on Exhibit "O" of my
15 complaint herein.
- 16 8. I am also the same Rosario DLG Kumagai who is named on Exhibit "R"
17 to my complaint herein.
- 18 9. Aside from being a dialysis patient at CHC, I am also suffering from
19 Hypertension, i.e., high blood.
- 20 10. Upon entering into my settlement agreement with MPLA, I was expecting
21 to be receive my money without any further delay given that I had
22 previously entered also into a settlement agreement to address my
23 medical bills at CHC.
- 24 11. This did not happen and, for the next several months after entering into
25 the above-mentioned settlement agreements, through the aid of family
26 members, I continued to try and find out why my compensation was
27 being withheld.
- 28 12. During this time and in light of what was happening to me, there were

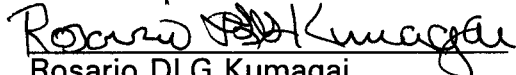
1 times that I could not sleep at night as I kept thinking about what was
2 happening to me given that others like me have received their monies.
3 Aside from the foregoing, I also experienced loss of appetite as well, not
4 to mention sever head aches, humiliation, and embarrassment.

5 13. When I finally learned that my compensation was finally released and
6 was forwarded to Bank of Guam, I was excited. This excitement was
7 short lived as I soon found out that it was again being withheld.

8 14. Suffice to say, the sleep-less nights, the severe head aches, the loss of
9 appetite, humiliation and embarrassment continued.

10 Dated this the 12th day of June, 2006.

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12 Respectfully Submitted:

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16 Rosario DLG Kumagai
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